

FORM PTO-1390 (Modified)  
(REV. 07-2004)

U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

MSP617NAT2

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**10/510538**

INTERNATIONAL APPLICATION NO.

**PCT/EP03/04344**

INTERNATIONAL FILING DATE

**08 April 2003**

PRIORITY DATE CLAIMED

**10 April 2002**

TITLE OF INVENTION

**GEL AND POWDER MAKING**

APPLICANT(S) FOR DO/EO/US

**Andrew James GOODWIN, Stuart LEADLEY, Pierre CHEVALIER, Bhukandas PARBHOO**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☒ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☐ Express Mail Label No. **EV496035441US**
23. ☒ Other items or information:

**Cover Letter****Return Post Card**

U.S. APPLICATION NO. <b>10/510538</b> INTERNATIONAL APPLICATION NO. <b>PCT/EP03/04344</b>		ATTORNEY'S DOCKET NUMBER <b>MSP617NAT2</b>																																																																																												
24. The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)) :</b> <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1110.00</b> <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$950.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$790.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$750.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b> <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		<b>CALCULATIONS PTO USE ONLY</b> <div style="border: 1px solid black; height: 100px; width: 100%;"></div>																																																																																												
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		<b>\$930.00</b>																																																																																												
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:15%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:10%;">RATE</th> <th style="width:10%;"></th> <th style="width:10%;"></th> <th style="width:15%;"></th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>18 - 20 =</td> <td>0</td> <td>x \$18.00</td> <td></td> <td></td> <td><b>\$0.00</b></td> </tr> <tr> <td>Independent claims</td> <td>1 - 3 =</td> <td>0</td> <td>x \$88.00</td> <td></td> <td></td> <td><b>\$0.00</b></td> </tr> <tr> <td colspan="6">Multiple Dependent Claims (check if applicable). <input type="checkbox"/></td> <td><b>\$0.00</b></td> </tr> <tr> <td colspan="6" style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td><b>\$930.00</b></td> </tr> <tr> <td colspan="6"> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.         </td> <td><b>\$0.00</b></td> </tr> <tr> <td colspan="6" style="text-align: right;"><b>SUBTOTAL =</b></td> <td><b>\$930.00</b></td> </tr> <tr> <td colspan="6">           Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).         </td> <td><b>\$0.00</b></td> </tr> <tr> <td colspan="6" style="text-align: right;"><b>TOTAL NATIONAL FEE =</b></td> <td><b>\$930.00</b></td> </tr> <tr> <td colspan="6">           Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/> </td> <td><b>\$0.00</b></td> </tr> <tr> <td colspan="6" style="text-align: right;"><b>TOTAL FEES ENCLOSED =</b></td> <td><b>\$930.00</b></td> </tr> <tr> <td colspan="6"></td> <td style="text-align: right;">Amount to be: refunded \$</td> </tr> <tr> <td colspan="6"></td> <td style="text-align: right;">charged \$</td> </tr> </tbody></table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE				Total claims	18 - 20 =	0	x \$18.00			<b>\$0.00</b>	Independent claims	1 - 3 =	0	x \$88.00			<b>\$0.00</b>	Multiple Dependent Claims (check if applicable). <input type="checkbox"/>						<b>\$0.00</b>	<b>TOTAL OF ABOVE CALCULATIONS =</b>						<b>\$930.00</b>	<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.						<b>\$0.00</b>	<b>SUBTOTAL =</b>						<b>\$930.00</b>	Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).						<b>\$0.00</b>	<b>TOTAL NATIONAL FEE =</b>						<b>\$930.00</b>	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>						<b>\$0.00</b>	<b>TOTAL FEES ENCLOSED =</b>						<b>\$930.00</b>							Amount to be: refunded \$							charged \$	a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <b>04-1520</b> in the amount of <b>\$930.00</b> to cover the above fees. c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <b>04-1520</b> d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.	
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<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.																																																																																														
<b>SEND ALL CORRESPONDENCE TO:</b> Larry A. Milco, Reg. No. 41,196 Phone No. 989-496-3161 <b>DOW CORNING CORPORATION</b> IP Department - MS C01232 2200 West Salzburg Road P.O. Box 994 Midland, MI 48686-0994 Customer No. 00137																																																																																														
SIGNATURE <div style="border-bottom: 1px solid black; text-align: center; margin-top: 10px;"> </div> NAME <b>Larry A. Milco</b> REGISTRATION NUMBER <b>41,196</b> DATE <b>October 6, 2004</b>																																																																																														

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): GOODWIN et al

**10/510538**  
Docket No.  
MSP617NAT2

Application No.  
to be assigned

Filing Date  
to be assigned

Examiner  
to be assigned

Customer No.  
00137

Group Art Unit  
to be assigned

Invention: **GEL AND POWDER MAKING**

I hereby certify that the following correspondence:

**Submission under 35 USC 371, Preliminary Amendment, Information Disclosure Statement and Citations, Substitute Spec, Marked-up Spec, Return Post Card**

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

October 7, 2004  
*(Date)*

**Lezlee E. Spreeman**

*(Typed or Printed Name of Person Mailing Correspondence)*

*(Signature of Person Mailing Correspondence)*

**EV496035441US**

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